

REMARKS

The Office Action dated December 17, 2004 has been read and carefully considered and the present amendment submitted to clarify the claim language to better define the invention.

In that Office Action, claims 3 and 6-12 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite and the grounds for that indefiniteness have been alleviated with the present amendment and the specific amendments to the various claims.

Claims 1-10 and 13-17 were rejected under 35 U.S.C. 102(b) as being anticipated by Goldberg *et al*, U.S. Patent 6,022,310.

Finally claims 18 and 19 were objected to as being dependent upon a rejected claim but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 11 and 12 were also objected to as being dependent upon a rejected claim but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and to overcome the Section 112, second paragraph, rejection.

As such, independent claims 1 and 14 have been amended to better define the present invention over the cited references and new claims 20 and 21 added to the application. The claim language of the independent claims 1, 14, 20 and 21 all now require that there is some free movement between the canopy and the infant support such that the canopy basically floats on the infant support and is not, and cannot be, tightened up as is the case with the Goldberg *et al* patent. In claims 1, 2, 8-10, 13, 14 that floating action is a pivotal floating movement; in claims 11, 12, 18 and 19 that motion is both pivotal and vertical and, in claims 20 and 21, the motion is vertical.

Thus, as indicated in the specification, page 5, lines 11-15, page 13, lines 3 *et seq.*, the present adjustable mounting system allows relative free motion between the canopy and the infant support when the infant compartment has been formed so that the canopy

effectively floats on the infant support and such motion can be vertical linear motion by the use of the sliding bracket and/or the motion can be pivotal as a result of the pivot bracket. In either, case the motion between the components, be that motion vertical or pivotal, remains viable and is never tightened as there is no provision to tighten those connections.

As such where the Goldberg reference specifically tightens all of its connections to retain the canopy in an immovable position with respect to the infant compartment, except for the mechanism that raises and closes the canopy, there is no floating action between the canopy and the infant platform. The mechanism of the present invention allows the present canopy to float and thus seat in an entirely different manner than the initial alignment and a tightening of the canopy in that position in Goldberg.

It is, therefore, submitted that the claims in the present application are in allowable form and an allowance of the present application is respectfully solicited.

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